

Atty. Docket No.: 59036-249737
Serial No.: 09/904,707
Office Action: April 14, 2004
Amendment & Response: July 14, 2004

REMARKS

The Applicant thanks the Examiner for his careful review of the claims and respectfully requests reconsideration of this application as amended. Claims 1, 2, 4, 7, 20, 21, 23, 28, 34, and 40 have been amended. No claims have been added. Claims 18, 19, 26, 27 and 30-33 have been canceled, without prejudice. Therefore, claims 1-13 and 20-25, 28-29 and 34-78 remain present for examination.

Statement of the Substance of Telephonic Interview of July 6, 2004:

Pursuant to the Manual of Patent Examining Procedure § 713.04, the undersigned will now provide a statement of the substance of a telephonic interview conducted between Examiner Thomas A. Dixon and the undersigned on July 6, 2004.

During the brief telephonic interview, the undersigned indicated the proposed amendments to the claims were intended to put the claims in condition for allowance. For example, with reference to claims 1, 7, 20, 23 and 34, the “input decisions” received have now been clarified as including “at least” those listed.

Finally, the Examiner acknowledged, to the extent certain of the claims to which the Examiner objected as being duplicates were in fact differentiated by the recitation or lack of recitation of limitations in means-plus-function or step-plus-function form, that such objections would be withdrawn.

NEW TITLE

In the Office action, the Examiner indicated the title of the invention was not descriptive. A proposed amendment to the title was submitted in connection with an Amendment and Response to Office Action mailed on December 30, 2002. The undersigned apologizes for not

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calling the Examiner's attention to the change at that time. The Examiner's review and approval of the previously proposed new title of "User Interface for a Financial Advisory System that allows an end user to Interactively Explore Tradeoffs among Input Decisions" is respectfully requested.

CLAIM OBJECTIONS

In the Office action, the Examiner indicated claim 25 was objected to because of the use of the phrase "one or more." As discussed during the telephonic interview of July 6, 2004, the undersigned proposes amendments herein to claims 1, 7, 20, 23 and 34, to clarify the "input decisions" received include "at least" those listed by the respective claims. Consequently, claim 25 and those using similar phraseology are now thought to be allowable.

Without acknowledging the correctness of the Examiner's indication that claims 2 and 32 were substantial duplicates, the undersigned has canceled claims 32 and 33, without prejudice, to facilitate issuance of the present application.

In the Office action, the Examiner indicated claim 78 was objected to as being a substantial duplicate of claim 70. As discussed during the telephonic interview, it may be that certain claims, such as 1, 3, 78, appear to be substantial duplicates of claims 23, 24, and 70; however, close inspection will reveal differences as a result of the language "a step for" in various limitations of claims 23, 24 and 78. Such language is intended by the undersigned to create a step-plus-function limitation and invoke 35 U.S.C. § 112, ¶ 6 in connection with the construction of such limitation. In view of the agreed difference in scope, it is the undersigned's understanding that the Examiner will withdraw the provisional double patenting rejections and the remaining objections under 37 CFR 1.75.

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The undersigned appreciates the Examiner's indication that claims 2, 36, 11-13, 28-29 and 43-77 are allowable. Although the undersigned agrees the Edesess and Baird references are deficient with respect to one or more expressly recited claim limitations of claims 2, 36, 11-13, 28-29 and 43-77, the undersigned would like to state for the record that the limitations recited by the Examiner as being the distinguishing features over the prior art of record may not be the only distinctions. Furthermore, in situations where the Examiner called out multiple limitations as being distinctive, it may not be the case that all of such multiple limitations are required for novelty or non-obviousness.

CONCLUSION

The Applicant respectfully submits that the objections and rejections raised in the Office action have been overcome by the amendment and remark, and that the pending claims are in condition for allowance. Accordingly, the Applicant respectfully requests that the rejections be withdrawn and that a Notice of Allowance be issued for claims 1-13 and 20-25, 28-29 and 34-78.

INVITATION FOR A TELEPHONE INTERVIEW

The Examiner is requested to call the undersigned at (303) 607-3633 if there remains any issue with allowance of the case.

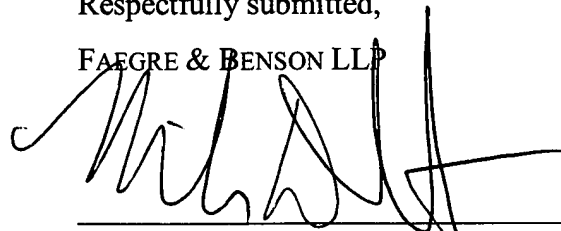
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Please debit any underpayment to Deposit Account No. **06-0029**.

Respectfully submitted,

FAEGRE & BENSON LLP

A handwritten signature in black ink, appearing to read 'Michael A. DeSanctis', is written over a horizontal line.

Date: **July 14, 2004**

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